IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.919 OF 2006
IN
APPEAL FROM ORDER ST. NO.22516 OF 2006

The Mun. Corpn. of Gr.Bombay. ..Applicant.

V/s.

Shri Shrinivas Arumuggam Pillai & Anr. ..Respondents.

Mrs. Geeta Joglekar h/f Mr.S.H.Ujjainwalla for applicant.

Smt. Nilima Sanghikar for Respondents.

CORAM: A.M.KHANWILKAR,J

DATE : FEBRUARY 12, 2007.

P.C. :

1. Heard counsel for the parties. Perused the pleadings including further affidavit filed on behalf of the applicant.

2. In my opinion, delay deserves to be condoned in the interest of justice. The explanation offered being sufficient cause, this application is allowed in terms of prayer clause (a), on condition that the concerned officer of the applicant personally to pay costs of Rs.2,000/- to the respondents within one week from today.

3. The Corporation shall ensure that the amount is recovered from the defaulting officer and not paid from the public exchequer.